

**MEMO ENDORSED**

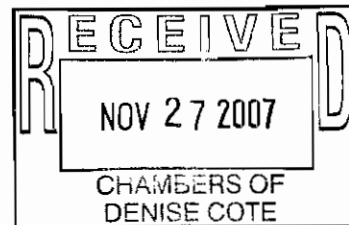
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VIA FACSIMILE TRANSMISSION:  
(212) 805-7907

November 27, 2007

The Honorable Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: *United States v. James Ciccone*  
07 Cr.399 (DLC)

Your Honor:

I represent James Ciccone, the defendant in the above matter. He is scheduled to appear tomorrow, November 28, 2007, at 2:00 p.m. before the magistrate judge on duty for resolution. Additionally, he is scheduled to appear on December 3, 2007, before your Honor for trial.

In connection thereto, I had discussions with AUSA Moyne and with Ms. Rojas in chambers, regarding my request for an adjournment of the trial. Unfortunately, this request is necessitated by recent and serious medical emergencies which have befallen my close relative. Specifically, she underwent extensive brain surgery today and is presently in recovery in the hospital's surgical intensive care unit. The circumstances surrounding this procedure, as well as those leading up to it, have weighed heavily on myself and family during the past month.

I have communicated to Ms. Moyne my inability to effectively focus on the representation of Mr. Ciccone at the scheduled proceedings. She has graciously consented to an adjournment of the trial to a date during the third week of January, with the expectation that the medical emergencies will have reached closure by that time.

Accordingly, I respectfully request that the trial in the above matter be adjourned, on consent, to January 16, 2008. Furthermore, I consent to the exclusion of time necessitated by this adjournment.

That facsimile copies of this document, including the signatures below, shall be deemed originals for all purposes.

Sincerely,

GAIL GRAY

So Ordered

Copy via facsimile to:  
Parvin Moyne, Esq.  
Assistant United States Attorney  
Southern District of New York  
Fax (212) 637-2387

*Trial is adjourned to January 14.*

*Time is excluded to*

*January 14, 2008.*

*Finding the exclusion is in*

*the interest of justice and*

*outweighs the interest of*

*the public and defendant*

*in a speedy trial, the*

*request is granted.*

*18 USC § 3161 (k) (8) (A).*

*Minnie Lee*

*Nov. 28, 2007*